will be offered solely pursuant to a separate prospectus. The prospectus for Class C shares will disclose the existence of the Fund's other classes, and the prospectus for the Fund's other classes will disclose the existence of Class C shares and will identify the persons eligible to purchase shares of such class. Each Fund will disclose the respective expense and performance data applicable to all classes of shares in each shareholder report. The shareholder reports will contain, in the statement of assets and liabilities and statement of operations, information related to the Fund as a whole generally and not on a per class basis. Each Fund's per share data, however, will be prepared on a per class basis with respect to all classes of shares of such Fund. To the extent any advertisement or sales literature describes the expenses or performance data applicable to any class of shares, it will also disclose the respective expenses and/or performance data applicable to all classes of shares, except Class C. Advertising materials reflecting the expenses or performance data for Class C will be available only to those persons eligible to purchase Class C shares. The information provided by applicants for publication in any newspaper or similar listing of the Funds' net asset values and public offering prices will present each class of shares, except Class C shares, separately.

15. Applicants acknowledge that the grant of the exemptive order requested by the application will not imply Commission approval, authorization, or acquiescence in any particular level of payments that the Funds may make pursuant to Rule 12b–1 Plans or nonrule 12b–1 shareholder services plans in reliance on the exemptive order.

16. Purchase Class shares will convert to Target Class shares on the basis of the relative net asset value of the two classes without the imposition of any sales load, fee, or other charge. After conversion, the converted shares will be subject to an asset-based sales charge and/or service fee (as those terms are defined in Article III, Section 26 of the NASD's Rules of Fair Practice), if any, that in the aggregate are lower than the asset-based sales charge and service fee to which they were subject prior to conversion.

B. The CDSC

1. Applicants will comply with the provisions of proposed rule 6c-10 under the Act, Investment Company Act Release No. 16619 (Nov. 2, 1988), as the rule is currently proposed and as it may be reproposed, adopted or amended.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 94-2645 Filed 2-4-94; 8:45 am] BILLING CODE 8010-01-M

DEPARTMENT OF STATE

Office of Defense Trade Controls
[Public Notice 1944]

Statutory Debarment Under the International Traffic in Arms Regulations

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of which persons have been statutorily debarred pursuant to § 127.7(c) of the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120–130).

EFFECTIVE DATE: February 7, 1994. FOR FURTHER INFORMATION CONTACT: Clyde G. Bryant Jr., Chief, Compliance and Enforcement Branch, Office of Defense Trade Controls, Department of State (703–875–6650).

SUPPLEMENTARY INFORMATION: Section 38(g)(4)(A) of the Arms Export Control Act (AECA), 22 U.S.C. 2778, prohibits export licenses to be issued to a person, or any party to the export, who has been convicted of violating certain U.S. criminal statutes, including the AECA. The term "person," as defined in § 120.14 of the International Traffic in Arms Regulations (ITAR), means a natural person as well as a corporation, business association, partnership, society, trust, or any other entity, organization or group, including governmental entities. The ITAR, specifically § 126.7(e), defines the term "party to the export" to include the president, the chief executive officer, and other senior officers and officials of the license applicant; the freight forwarders or designated exporting agent of the license applicant; and any consignee or end-user of any item to be exported. The statute permits certain limited exceptions to this prohibition to. be made on a case-by-case basis. 22 U.S.C. 2778(g)(4).

The ITAR, § 127.7, authorizes the Assistant Secretary of State for Political-Military Affairs to prohibit certain persons convicted of violating, or conspiring to violate, the AECA, from participating directly or indirectly in the export of defense articles or in the furnishing of defense services. Such a

prohibition is referred to as a "statutory debarment," which may be imposed on the basis of judicial proceedings that resulted in a conviction for violating, or of conspiring to violate, the AECA. See 22 CFR 127.7(c). The period for debarment will normally be three years from the date of the most recent conviction. At the end of the debarment period, licensing privileges may be reinstated at the request of the debarred person following the necessary interagency consultations, after a thorough review of the circumstances surrounding the conviction, and a finding that appropriate steps have been taken to mitigate any law enforcement concerns, as required by the AECA, 22 U.S.C. 2778(g)(4).

Statutory debarment is based solely upon a conviction in a criminal proceeding, conducted by a United States court. Thus, the administrative debarment procedures, as outlined in the ITAR, 22 CFR part 128, are not applicable in such cases.

The Department of State will not consider applications for licenses or requests for approvals that involve any person or any party to the export who has been convicted of violating, or of conspiring to violate, the AECA during the period of statutory debarment. Persons who have been statutorily debarred may appeal to the Under Secretary for International Security Affairs for reconsideration of the ineligibility determination. A request for reconsideration must be submitted in writing within 30 days after a person has been informed of the adverse decision. 22 CFR § 127.7(d).

Department of State policy permits debarred persons to apply for an exception one year after the date of the most recent debarment, in accordance with the AECA, 22 U.S.C. 2778(g)(4)(A), and the ITAR, § 127.7. This request is made to the Director of the Office of Defense Trade Controls. Any decision to grant an exception can be made only after the statutory requirements under section 38(g)(4) of the AECA have been satisfied. If the exception is granted, the debarment will be suspended.

Pursuant to the AECA, 22 U.S.C. 2778(g)(4)(A), and the ITAR, 22 CFR 127.7, the Assistant Secretary for Political-Military Affairs has statutorily debarred four persons who have been convicted of conspiring to violate and violating the AECA.

These persons were previously debarred as a result of their convictions in *U.S.* v. *Japan Aviation Electronics Industry Ltd, et al.*, U.S. District Court, District of Columbia, Criminal No. 91–516 (58 FR 50382–50383, September 27, 1993). Due to their convictions in *U.S.*

v. Aero Systems, Inc., et al., U.S. District Court, District of Columbia, Criminal No. 92-267, these same four persons have again been debarred for a threeyear period following the date of their convictions, and have been so notified by a letter from the Office of Defense Trade Controls. Pursuant to ITAR, § 127.7(c), the names of these persons, their offense, date of conviction(s) and court of conviction(s) are hereby being published in the Federal Register. Anyone who requires additional information to determine whether a person has been debarred should contact the Office of Defense Trade Controls.

This notice involves a foreign affairs function of the United States encompassed within the meaning of the military and foreign affairs exclusion of the Administrative Procedure Act. Because the exercising of this foreign affairs function is discretionary, it is excluded from review under the Administrative Procedure Act.

In accordance with these authorities the following persons are debarred for a period of three years following their most recent conviction for conspiring to violate and violating the AECA (name/ business address/offense/conviction date/court citation):

- Aero Systems, Inc., 5415 West 36th Street, P.O. Box 52-2221, Miami, Florida 33152-2221, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778) and 22 U.S.C. 2778, July 5, 1993, United States v. Aero Systems, Inc., et al., U.S. District Court, District of Columbia, Criminal Docket No. 92-267-1
- Aero Systems, Aviation Corporation, 5415 West 36th Street, P.O. Box 52– 2221, Miami, Florida 33152–2221, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778) and 22 U.S.C. 2778, July 5, 1993, United States v. Aero Systems, Inc., et al., U.S. District Court, District of Columbia, Criminal Docket No. 92–267–2
- 3. Hierax Company Ltd., Price
 Waterhouse, 22nd Floor, Prince's
 Building, Hong Kong, 18 U.S.C. 371
 (conspiracy to violate 22 U.S.C. 2778)
 and 22 U.S.C. 2778, July 5, 1993,
 United States v. Aero Systems, Inc., et
 al., U.S. District Court, District of
 Columbia, Criminal Docket No. 92–
 267–3
- Aero Systems Pte. Ltd., 37 Jalan Pemimpin, Malaysia 2057, 18 U.S.C. 371 (conspiracy to violate 22 U.S.C. 2778) and 22 U.S.C. 2778, July 5, 1993, United States v. Aero Systems, Inc., et al., U.S. District Court, District of Columbia, Criminal Docket No. 92– 267–4

Dated: January 26, 1994.

William B. Robinson.

Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State.

[FR Doc. 94–2630 Filed 2–4–94; 8:45 am]

BILLING CODE 4710-25-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration [Summary Notice No. PE-94-5]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR chapter I), dispositions of certain provisions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition. DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before February 28, 1994. ADDRESSES: Send comments on any

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC–200), Petition Docket No. ______, 800 Independence Avenue, SW.,

800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Mr. Frederick M. Haynes, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3939.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on January 31, 1994.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 27547

Petitioner: Hughes Aeronautical

Operations

Sections of the FAR Affected: 14 CFR

91.319(c)

Description of Relief Sought/
Disposition: To permit Hughes to operate aircraft with an experimental certificate over densely populated areas or in a congested airway.

Dispositions of Petitions

Docket No.: 007SW
Petitioner: Airlink, Inc.
Sections of the FAR Affected: 14 CFR
27.1

Description of Relief Sought/
Disposition: To permit normal
operations of an Agusta Model
A109K2 helicopter, Ser. No. 10017, at
gross weights exceeding 6,000 pounds
up to a maximum gross weight of
6,284 pounds. Denial, January 12,
1994, Exemption No. 5831

Docket No.: 25940

Petitioner: Mr. Charles N. Saulisberry Sections of the FAR Affected: 14 CFR

43.3(g)

Description of Relief Sought/
Disposition: To extend Exemption No.
5149 to continue to allow the
petitioner, as pilot and owner of Air
Transportation, to remove and
reinstall aircraft cabin seats in the
company's Cessna 182—C aircraft.
Grant, January 12, 1994, Exemption
No. 5149B

Docket No.: 26578
Petitioner: American Airlines
Sections of the FAR Affected: 14 CFR
43.3(a), 121.378(a) and 121.709(b)(3)
Description of Relief Sought: To extend
Exemption No. 5420 to continue to
allow in-flight replacement of
passenger reading light bulbs by
qualified flight attendants. Grant,

January 12, 1994, Exemption No. 5420A

Docket No.: 27125
Petitioner: Air Resorts Airlines
Sections of the FAR Affected: 14 CFR
121.356

Description of Relief Sought: To allow Air Resorts Airlines to operate four Convair 440 (CV-440) aircraft without an approved traffic alert and collision avoidance system (TCAS equipment) for a limited period of 120 days after